

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

Claims 1-5 (Canceled).

Claim 6 (Original): A surgical stapling apparatus and vacuum system, the system comprising:

a surgical stapling apparatus including a body portion, a shell assembly and an anvil, the shell assembly being positioned on a distal end of the body portion and including an annular array of staples and at least one aperture, the anvil being movably supported in relation to the shell assembly between spaced and approximated positions; and

a vacuum device including a housing and a vacuum conduit, the housing being positioned about at least a portion of the shell assembly of the surgical stapling apparatus to define a vacuum chamber, the at least one aperture being positioned within the vacuum chamber, the vacuum conduit communicating with the vacuum chamber, and at least one vacuum tube having a first end positioned within the vacuum chamber and a second end positioned within an inner chamber of the shell assembly.

Claim 7 (Original): A system as recited in Claim 8, wherein the at least one vacuum tube includes a plurality of vacuum tubes.

Claim 8 (Currently amended): A system as recited in Claim [[9]] 7, further including a manifold slidably positioned within the vacuum chamber, the first end of each of the vacuum tubes being secured to the manifold.

Claim 9 (Currently amended): A system as recited in Claim 8, further including an actuator operably connected to the manifold, the actuator being movable to move the manifold

and the plurality of vacuum tubes between a non-deployed position in which the second end of each of the vacuum tubes is positioned within the shell assembly and a deployed position in which the second end of each of the vacuum tubes is positioned externally of the shell assembly.

Claim 10 (Original): A system as recited in Claim 9, wherein at least one of the vacuum tubes is formed of a shape-memory material.

Claim 11 (Original): A system as recited in Claim 10, wherein the second end of the at least one of the plurality of vacuum tubes points radially outwardly of the shell assembly in the deployed position.

Claim 12 (Currently amended): A system as recited in Claim 10, wherein the second end of the at least one of the plurality of vacuum tubes is positioned radially outwardly of the shell assembly in the deployed position.

Claims 13-18 (Canceled).

Claim 19 (New): A system as recited in Claim 6, wherein the housing defines a hollow sleeve.

Claim 20 (New): A system as recited in Claim 19, wherein the hollow sleeve is positioned about the distal end of the body portion and a proximal end of the shell assembly.

Claim 21 (New): A system as recited in Claim 20, wherein the proximal end of the shell assembly includes a conical portion, the at least one aperture being formed in the conical portion.

Claim 22 (New): A system as recited in Claim 21, wherein the at least one aperture includes a plurality of apertures.

Claim 23 (New): A system as recited in Claim 9, wherein the actuator includes a finger actuator which is connected to the manifold by a link.

Claim 24 (New): A system as recited in Claim 23, wherein the finger actuator, the link and the manifold are integrally formed.

Claim 25 (New): A system as recited in Claim 23, wherein the finger actuator is slidably positioned along an outer surface of the body portion.

Claim 26 (New): A system as recited in Claim 6, further including an annular knife blade positioned about the inner chamber of the shell assembly.

Claim 27 (New): A system as recited in Claim 9, further including guide structure configured to guide movement of the plurality of vacuum tubes between the non-deployed position and the deployed position.

Claim 28 (New): A system as recited in Claim 27, wherein the guide structure is supported within the inner chamber of the shell assembly.